

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOHN WAYNE BLACKHAWK,

Defendant.

8:23CR52

ORDER

This matter is before the court on the defendant's Motion to Continue Trial [24]. Counsel needs additional time to resolve this matter short of trial. The undersigned magistrate judge has communicated with the parties and finds good cause to grant the motion. Accordingly,

IT IS ORDERED that the Motion to Continue Trial [24] is granted, as follows:

1. The jury trial, now set for October 17, 2023 is continued to **November 28, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and November 28, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would unreasonably deny the defendant or the government continuity of counsel or would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).
3. **No further continuances will be granted.**

DATED: October 2, 2023

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge